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AN HONORS UNIVERSITY IN MARYLAND

January 24, 2003

Environmental Safety and Health
University of Maryland, Baltimore County
1000 Hilltop Circle
Baltimore, Maryland 21250

Select Agent Program
Center for Disease Control and Prevention
1600 Clifton Road, N. E.
Mail Stop E-79
Atlanta, Georgia 30333

Phone: 410-455-2918
Fax: 410-455-1186
Voice/TX: 410-455-3233
www.umbc.edu

Dear Sir:

This is written in response to the Center for Disease Control and Prevention's solicitation for comments on 42 CFR Part 73, Interim Final Rule, Possession, Use, and Transfer of Select Agents and Toxins, published in the Federal Register, Vol. 240, No. 67, on Friday, December 13, 2002.

I am writing in support of the comments and recommendations for 42 CFR Part 73 submitted by the Howard Hughes Medical Institute (HHMI) on January 21, 2003. A copy of the HHMI "Comments on 42 CFR Part 73" is attached for your reference. Specifically, the basis for my support and endorsement is that the recommendations will ensure the appropriate availability of biological agents and toxins for research, education and other legitimate purposes and will make the safeguard and security requirements for persons possessing, using or transferring a listed agent or toxin risk-based. These provisions are requirements of the "Public Health Security and Bioterrorism Preparedness and Response Act of 2002." I believe that the adoption of the recommendations of the HHMI will lessen the administrative burden of the Final Rule, allow for an effective performance-based security plan and ensure the relevance of the Final Rule to the biomedical research environment.

Thank you for the opportunity to share these concerns.

Sincerely,



Robert C. Nielsen
Director
Office of Environmental Safety and Health

RCN/bak

Enclosures:

Comments on 42 CFR Part 73, Interim Final Rule
Possession, Use and Transfer of Select Agents and Toxins